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# UNITED STATE PARTMENT OF COMMERCE

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APPLICATION NUMBER FILING DATE FIRST NAMED APPLICANT ATTY DOCKET NO. 16820 - P121 08/581,347 12/29/95 CLEEVES

18M1/0129 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES CA 90025

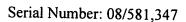
EXAMINER RYAN, V ART UNIT PAPER NUMBER 4 1802

DATE MAILED: 01/29/98

This is a communication from the examiner in charge of your application. COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY	
Responsive to communication(s) filed on	
This action is FINAL.	
Since this application is in condition for allowance except for formal matt accordance with the practice under Ex parte Quayle, 1935 D.C. 11; 453	ers, prosecution as to the merits is closed in O.G. 213.
A shortened statutory period for response to this action is set to expire whichever is longer, from the mailing date of this communication. Failure to rethe application to become abandoned. (35 U.S.C. § 133). Extensions of time 1.136(a).	Month(s), or thirty days
Disposition of Claims	
Claim(s) /- 2 ○	
	is/are pending in the application.
☐ Claim(s)	is/are withdrawn from consideration.
-1//	
Claim(a)	is/are chicated to
	are subject to restriction or election requirement.
Application Papers	
See the attached Notice of Draftsperson's Patent Drawing Review, PTO-9  The drawing(s) filed on	48.
The drawing(s) filed onis  The proposed drawing correction, filed onis	s/are objected to by the Examiner.
The specification is objected to by the Examiner	is approved disapproved.
The oath or declaration is objected to by the Examiner.	
Priority under 35 U.S.C. § 119	
Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 1	
☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority do	119(a)-(d).
received.	ocuments have been
received in Application No. (Series Code/Serial Number) received in this national stage application from the International Bureau	·
*Certified copies not received:	□ (PCT Rule 17.2(a)).
Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §	110(a)
Attachment(s)	119(6).
Notice of Reference Cited, PTO-892	
Information Disclosure Statement(s), PTO-1449, Paper No(s).	
Interview Summary, PTO-413	-
Notice of Draftperson's Patent Drawing Review, PTO-948	
Notice of Informal Patent Application, PTO-152	·
SEE OFFICE ACTION ON THE	

E OFFICE ACTION ON THE FOLLOWING PAGES-



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#### **DETAILED ACTION**

In this application:

Claims 1-20 are now pending and under examination.

### Drawings

The drawings are objected to under 37 CFR 1.84 or 1.152 for the reasons stated on PTO 948. Correction is required.

## Claim Rejections

#### 35 USC § 102

The following is a quotation of the appropriate paragraphs of  $35\ U.S.C.\ 102$  that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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## 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Horiuchi et al or Cathey, Jr.

Horiuchi et al (US Patent 5,155,331) disclose an etching apparatus comprised of two electrodes and a holding body for holding a substrate. The apparatus is also comprised of a sealing ring and a clamp. (See especially columns 3-5)

Cathey, Jr (US Patent 5,096,536) disclose an apparatus for plasma etching comprised of an upper and lower electrode, clamps, o-ring sealing members, and a central opening in the lower supporting electrode. (See especially columns 4 and 5)

Thus, the prior art disclosures are viewed as anticipating the claimed invention.

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The Art Unit location of your application in the Patent and Trademark Office has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 1802.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to V. Ryan whose telephone number is (703)305-6558.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-0196.

Papers related to this application may be submitted to the Group 1800 by facsimile transmission. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The fax number for Art Unit 1802 is (703)308-4242.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Housel, can be reached on (703) 308-4027.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [james.housel@uspto.gov].

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All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

V. Ryan
Patent Examiner/Art Unit 1802
January 1998
Ryan/vr

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